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FAX TO : Powell, William A

ART UNIT: 1765

Tel : (703) 308-1975

Fax: (703) 872-9310

FROM : Winston Hsu, PATENT AGENT, REG. NO. : 41,526

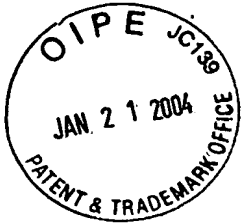
SUBJECT: SERIAL NO. : 09/681,986

Petition to withdraw holding of abandonment

TOTAL PAGES: 19 PAGES (INCLUDING COVER PAGE)

The hardcopy of this petition will be sent to USPTO by Federal Express right away.

Winston Hsu 2004/01/15



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PTO/SB/97 (08-00)
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on 01/16/2004
Date

Sandy Huang
Signature

Sandy Huang
Typed or printed name of person signing Certificate

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APPLICATION NUMBER: 09/681,986

PAPERS INCLUDED:

- | | |
|---|---------|
| (1) Transmittal Form | 1 PAGE |
| (2) Fee Transmittal | 1 PAGE |
| (3) Petition to withdraw holding of abandonment | 5 PAGES |
| (4) Appendix A | 2 PAGES |
| (5) Appendix B | 1 PAGE |
| (6) Appendix C | 4 PAGES |
| (7) Appendix D | 2 PAGES |
| (8) Appendix E | 1 PAGE |

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/21 (08-03)

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/681,986	
	Filing Date	07/03/2001	
	First Named Inventor	Ting-Chang Chang	
	Art Unit	1765	
	Examiner Name	Powell, William A	
Total Number of Pages in This Submission	17	Attorney Docket Number	NAUP0377USA

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Appendix A 2. Appendix B 3. Appendix C 4. Appendix D 5. Appendix E
Remarks The petition has been sent to the examiner by fax on 01/15/2004		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Winston Hsu, Reg. No.: 41,526
Signature	<i>Winston Hsu</i>
Date	1/16/2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	09/681,986
Filing Date	07/03/2001
First Named Inventor	Ting-Chang Chang
Examiner Name	Powell, William A
Art Unit	1765
Attorney Docket No.	NAUP0377USA

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number: 50-0801
Deposit Account Name: North America International Patent Office

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$) 0.00

SUBMITTED BY

Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526	Telephone	886289237350
Signature	<i>Winston Hsu</i>	Date	1/16/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicants: Ting-Chang Chang, Examiner: Powell, William A
Po-Tsun Liu,
Yi-Shien Mor

Filing Date: 07/03/2001 Art Unit: 1765
Application No.: 09/681,986 Docket No.: NAUP0377USA

10

Title: Method of avoiding dielectric layer deterioration
with a low dielectric constant during a stripping
process

15 To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

20

Subject: Petition to withdraw holding of abandonment

Appendices including cited documents are attached
following page 5 of this paper.

25

Dear Sir/Madam:

30

The following is a petition under 37 CFR 1.181(a) to withdraw
the holding of abandonment for the above-identified application,
as per MPEP 711.03(c)(II).

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

On 12/31/2003, the USPTO's PAIR system was utilized to perform a check of the above-identified application. The PAIR system indicated that the present application had become abandoned on 03/28/2003 for failure to pay the issue fee in response to a Notice of Allowance mailed on 11/20/2002. However, a search of the file jacket and docket records attests to the fact that the appropriate permissions and instructions to deduct the issue fee from the applicant's account was sent to the USPTO in a timely response to the Notice of Allowance. Attached to this petition is a copy of the relevant Fee Transmittal form (PTO/SB/17) sent to the USPTO on 01/29/2003 (Appendix A).

A copy of the Notice of Allowability (Part of Paper No.3) included with the Notice of Allowance is attached to this petition as Appendix B. It is noted that in the Notice of Allowability, the Examiner has marked the box indicating that new drawings including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) were to be submitted and that the relevant PTO-948 sheet was attached to Paper No.3. However, in the list of Attachments to said Notice of Allowability, the box corresponding to a PTO-948 sheet has not been checked and a copy of said PTO-948 sheet was not included with either said Notice of Allowability or said Notice of Allowance.

Because the PTO-948 sheet was not included with the Notice of Allowability, it was impossible for the applicant to determine what, if any, changes to the drawings were required by the Draftsperson. In an effort to fully cooperate with the

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

Examiner, a telephone interview was conducted with the Examiner on 01/23/2003 to ascertain what changes to the drawings were required and to request a copy of said PTO-948 sheet be sent to the Applicant. The Examiner responded that a formal request
5 for the PTO-948 sheet must be submitted.

Therefore, a formal request for the said PTO-948 sheet was sent to the Assistant Commissioner of Patents at the USPTO on 01/29/2003. Included in the formal request was a request
10 that the period for reply to the Notice of Allowance be reset accordingly as a critical piece of information was lacking in the originally sent Notice of Allowability (Paper No.3). A copy of said request is attached to this petition as Appendix C.
15

The Applicant has received no response of any kind to the formal request for the alleged missing PTO-948 sheet. Moreover, a Notice of Abandonment for this application was never received.

20 Please see the attached copy of the file docket for the present application (Appendix D). The line with the encircled "1" indicates the Notice of Allowance was received by the Applicant on 12/02/2002. The line with the encircled "2" recognizes the request by the Examiner for new formal drawings.
25 The line with the encircled "3" documents the telephone interview on 01/23/2003 with the Examiner concerning said PTO-948 sheet. The line with the encircled "4" shows that the formal request for the alleged missing PTO-948 sheet was sent to the USPTO on 01/29/2003. The line with the encircled "5"
30 documents that instructions and authorization for payment of the issue fee were also sent to the USPTO on 01/29/2003. The

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

line with the encircled "6" shows the Applicant's discovery
of abandonment on the USPTO's PAIR system on 12/31/2003 and
the need for this petition. Clearly, there were no intervening
papers from the USPTO from 01/29/2003 to 12/31/2003, and hence
5 the Applicant never received said PTO-948 sheet.

It is noted that the USPTO's PAIR system page for the present
application (Appendix E) does not specifically show either
the receipt of the issue fee or the formal request for said
10 PTO-948 sheet. However, item numbers 18 and 19 of the same
USPTO's PAIR system page do show that two "Miscellaneous
Incoming Letter"s were received by the USPTO on 01/29/2003,
the same date that the applicant sent the issue fee and request
for said PTO-948 sheet. It is unclear to the Applicant exactly
15 what a "Miscellaneous Incoming Letter" indicates. However,
it is suggested that the two "Miscellaneous Incoming Letter"s
further confirm that the issue fee and the request for said
PTO-948 sheet were received by the USPTO and that the Applicant
was unavoidably unable to properly respond to the Notice of
20 Allowance because said PTO-948 sheet was never received.

Due to the above, and with regards to MPEP 711.03(c)(II),
the Applicant respectfully requests that the holding of
abandonment of the present application be withdrawn. Further,
25 the Applicant politely requests that a copy of said PTO-948
sheet be sent to the Applicant and that the period for reply
to the Notice of Allowance be reset accordingly so that a proper
response may be provided.

30

1/15/2004
Application No. 09/681,986
Petition to withdraw holding of abandonment

Sincerely,



Date: 1/16/2004

5 Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506

Merrifield, VA 22116

U.S.A.

e-mail : winstonhsu@naipo.com.tw

10 (Please contact me by e-mail if you need a telephone
communication and I will return your call promptly.)

15

Attachments: Appendix A Issue Fee
 Appendix B Notice of Allowability
 Appendix C Request for PTO-948 sheet
20 Appendix D File Docket
 Appendix E USPTO PAIR system page

Appendix A

Approved for use through 10/31/2002. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/681,986	
	Filing Date	07/03/2001	
	First Named Inventor	Ting-Chang Chang	
	Group Art Unit	1765	
	Examiner Name	Powell, William A.	
Total Number of Pages in This Submission	2	Attorney Docket Number	NAUP0377USA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Missing parts in Notice of Allowability dated 11/20/2002
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	7/29/2003

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____		
Typed or printed name		
Signature		Date

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 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003		Complete if Known	
<small>Effective 01/01/2003. Patent fees are subject to annual revision.</small>		Application Number	09/681,986
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	07/03/2001
TOTAL AMOUNT OF PAYMENT (\$) 0.00		First Named Inventor	Ting-Chang Chang
		Examiner Name	Powell, William A.
		Art Unit	1765
		Attorney Docket No.	NAUP0377USA

<p>METHOD OF PAYMENT (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</p> <p><input checked="" type="checkbox"/> Deposit Account:</p> <p>Deposit Account Number: 50-0801</p> <p>Deposit Account Name: North America International Patent Office</p> <p>Commissioner is authorized to: (check all that apply)</p> <p>Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments</p> <p><input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application</p> <p><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</p>	<p>FEE CALCULATION (continued)</p> <p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920</td><td>1804</td><td>920</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840</td><td>1805</td><td>1,840</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td>1600</td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p>SUBTOTAL (3) (\$) 1600.00</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920	1804	920	Requesting publication of SIR prior to Examiner action		1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)	1600	1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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SUBMITTED BY		<small>(Complete if applicable)</small>	
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526
Signature	<i>Winston Hsu</i>	Telephone	886289237350
		Date	7/9/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

Appendix B

Notice of Allowability	Application No. <i>09/681,986</i>	Applicant(s) <i>Chang et al</i>	
	Examiner <i>Wm. A. Powell</i>	Art Unit <i>1765</i>	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to *JUL. 03, 2001.*
2. The allowed claim(s) is/are *1-17.*
3. The drawings filed on _____ are acceptable as formal drawings.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All. b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.138(a).

Note the attached EXAMINER'S STATEMENT OF NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

7. Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. *3.*
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)), should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER), if applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

- Attachment(s)
- | | |
|--|--|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | <input type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

(10) 703-308-498
(17) 703-892-9311
872-9310

William A. Powell
WILLIAM A. POWELL
 PRIMARY EXAMINER

Appendix C

PTO/SB/21 (08-00)
 Approved for use through 10/31/2002. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/681,986	
	Filing Date	07/03/2001	
	First Named Inventor	Ting-Chang Chang	
	Group Art Unit	1765	
	Examiner Name	Powell, William A.	
Total Number of Pages in This Submission	4	Attorney Docket Number	NAUP0377USA

ENCLOSURES <small>(check all that apply)</small>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <small>(for an Application)</small>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <small>(Appeal Notice, Brief, Reply Brief)</small>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Missing parts in Notice of Allowability dated 11/20/2002
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Request has been sent to examiner by fax on 2003/1/29.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	4/29/2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____	
Typed or printed name	_____
Signature	_____
Date	_____

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003	Complete if Known
<small>Effective 01/01/2003. Patent fees are subject to annual revision.</small>	Application Number 09/681,986
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Filing Date 07/03/2001
TOTAL AMOUNT OF PAYMENT (\$) 0.00	First Named Inventor Ting-Chang Chang
	Examiner Name Powell, William A.
	Art Unit 1765
	Attorney Docket No. NAUP0377USA

<p>METHOD OF PAYMENT (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</p> <p><input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 50-0801 Deposit Account Name North America International Patent Office</p> <p>The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</p> <p style="text-align: center;">FEE CALCULATION</p> <p>1. 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EXTRA CLAIM FEES FOR UTILITY AND REISSUE</p> <p>Total Claims -20** = <input type="checkbox"/> X <input type="checkbox"/> = <input type="checkbox"/> Independent Claims -3** = <input type="checkbox"/> X <input type="checkbox"/> = <input type="checkbox"/> Multiple Dependent <input type="checkbox"/> = <input type="checkbox"/> = <input type="checkbox"/> 0.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202 18</td><td>2202 9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201 84</td><td>2201 42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203 280</td><td>2203 140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204 84</td><td>2204 42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205 18</td><td>2205 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="3" style="text-align: right;">SUBTOTAL (2)</td><td>(\$) 0.00</td></tr> </tbody> </table>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 750	2001 375	Utility filing fee		1002 330	2002 165	Design filing fee		1003 520	2003 260	Plant filing fee		1004 750	2004 375	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1)			(\$) 0.00	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 84	2201 42	Independent claims in excess of 3		1203 280	2203 140	Multiple dependent claim, if not paid		1204 84	2204 42	** Reissue independent claims over original patent		1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)			(\$) 0.00	<p style="text-align: center;">FEE CALCULATION (continued)</p> <p>3. 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unavoidable</td><td></td></tr> <tr><td>1453 1,300</td><td>2453 650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501 1,300</td><td>2501 650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502 470</td><td>2502 235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503 630</td><td>2503 315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460 130</td><td>1460 130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807 50</td><td>1807 50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806 180</td><td>1806 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021 40</td><td>8021 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809 750</td><td>2809 375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810 750</td><td>2810 375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801 750</td><td>2801 375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802 900</td><td>1802 900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="3">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="3" style="text-align: right;">SUBTOTAL (3)</td><td>(\$) 0.00</td></tr> </tbody> </table>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - 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SUBMITTED BY		<small>(Complete if applicable)</small>	
Name (Print/Type) Winston Hsu	Registration No. (Attorney/Agent) 41,526	Telephone 886289237350	
Signature <i>Winston Hsu</i>	Date 09/03/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Ting-Chang Chang Examiner: Powell, William
Po-Tsun Liu
Yi-Shien Mor
Filing Date: 07/03/2001 Art Unit: 1765
App. No.: 09/681,986 Docket No.: NAUP0377USA

10

Title: Method of avoiding dielectric layer deterioration
with a low dielectric constant during a stripping
process

15

To: Assistant Commissioner of Patents
Washington, D.C. 20231

Subject: Missing parts in Notice of Allowability dated
11/20/2002

20

Dear Sir or Madame:

25

A Notice of Allowability was mailed on 11/20/2002,
indicating acceptance of claims 1-17 in the above-indicated
application. However, the Notice of Allowability also indicated
that new formal drawings must be submitted in response to a
Draftperson's Patent Drawing Review (PTO-948), which was
allegedly attached with the Notice of Allowability (part of
paper No. 3). Unfortunately, the PTO-948 sheet was not actually
30 attached with paper No. 3, and so the Applicant is currently
unable to respond to the objections purportedly raised in the
PTO-948 paper.



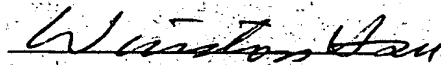
On January 23, 2003, a telephone interview was held with the Examiner requesting information about the missing PTO-948 so as to be able to respond with the appropriate corrected drawings. The Examiner responded that a formal request for the PTO-948 sheet must be submitted.

In light of the above, it is requested that the Draftperson's Patent Drawing Review sheet PTO-948 be sent to the Applicant, and that the period for reply be accordingly reset as this critical piece of information was lacking from the originally sent Notice of Allowability. Once the PTO-948 sheet is received, the Applicant will be able to properly respond with corrected drawings.

15

Sincerely yours,

20



Date: 1/29/2003

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506

Merrifield, VA 22116

25

U.S.A.

e-mail: winstonhsu@naipo.com.tw

PAGE 1

本所案號: IAU-P0317-USA 名稱: Method of avoiding dielectric layer deterioration with a low dielectric constant during a stripping process.
 客戶案號: UMCD-2001-0012
 國外案號: _____
 專利案號: 09/681,986 申請日期: 9/3/01 專利日期: _____
 發明人: 張鼎強 劉柏村 莫亦夫

文件編號	階段	績效編號	日期	記錄人	項目	摘要
1		EOE2	03/07/01	Amanda	Form 533	新案
1			3/27	Karen		Claim trans.
2			3/27	Mike		claim trans Edt
3			4/10	Karen		spec. translation
4			4/17	Con		spec trans Edt
			4/30/01	Zrene	To 張鼎強	確認內容
			5/4/01	張	To 賴明峰	文稿
			5/26/01	Zrene	To 張鼎強	確認內容
			6/18/01	"	From "	改修可修件
			7/4	張	To PTO	送件
			7/1	"	From "	Along receipt
			8/2	"	"	Keander
			6/26/02	To PTO	Melissa	usa priority x 1
			7/29	"	From PTO	收到 "
→ ①			12/1/02	Nanle	From PTO	(deadline: 2003/2/20) allowance fee notice
→ ②			1/22/03	N.	From Nan.	至補國 due 1/23
			1/23/03	1/23	To: Mike	領到前補國 due 1/23
→ ③			1/21-3	1/23	To: 張鼎強	達致因 tel interview. 達致
→ ④			1/29/03	Mike		Request for PTO-94.8
→ ⑤			"	張	To PTO	" " " pay fee

案件的每一個階段及相關文件的產生及出入均應詳實記載。

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7/7/01 張 From PTO. of



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Search results for application number: 09/681,986			
Application Number:	09/681,986	Customer Number:	27765
Filing or 371(c) Date:	07-03-2001	Status:	Abandoned - Pay Issue Fee
Application Type:	Utility	Status Date:	03-28-2003
Examiner Name:	POWELL, WILLIAM A	Location:	TECH CENTER DIRECTOR 2
Group Art Unit:	1765	Location Date:	10-20-2003
Confirmation Number:	1164	Earliest Publication No:	US 2003-001
Attorney Docket Number:	NAUP0377USA	Earliest Publication Date:	01-16-2003
Class/ Sub-Class:	438/723	Patent Number:	-
First Named Inventor:	Ting-Chang Chang, Hsin-Chu City, (TW)	Issue Date of Patent:	-
Title Of Invention:	METHOD OF AVOIDING DIELECTRIC LAYER DETERIOATION LOW DIELECTRIC CONSTANT DURING A STRIPPING PROC		

- [PTA History](#)
- [Foreign Priority](#)
- [Continuity Data](#)

File Contents History		
Number	Date	Contents Description
21	03-28-2003	Mail Abandonment for Failure to Pay Issue Fee
20	03-28-2003	Abandonment for Failure to Pay Issue Fee
19	01-29-2003	Miscellaneous Incoming Letter
18	01-29-2003	Miscellaneous Incoming Letter
17	12-27-2002	Receipt into Pubs
16	11-22-2002	Workflow - File Sent to Contractor
15	11-21-2002	Receipt into Pubs
14	11-20-2002	Dispatch to Publications
13	11-20-2002	Mail Notice of Allowance
12	11-20-2002	Mail Formal Drawings Required
11	11-18-2002	Formal Drawings Required
10	11-18-2002	Notice of Allowance Data Verification Completed
9	11-18-2002	Case Docketed to Examiner in GAU
8	11-18-2002	Notice of Allowability
7	11-01-2001	Case Docketed to Examiner in GAU
6	07-23-2001	Case Docketed to Examiner in GAU
5	07-18-2001	Application Dispatched from OIPE
4	07-16-2001	Correspondence Address Change
3	07-11-2001	IFW Scan & PACR Auto Security Review
2	07-03-2001	Electronic Filing of Original Application Papers
1	07-03-2001	Initial Exam Team nn

164

1765

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16-Jan-2004 16:08

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554	16/ 1/2004	15:50:38	Send	01917038729310	17:52	19	OK

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